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DEPARTMENT OF NATURAL RESOURCES

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Outgoing
C0410002
#3609
OK

December 1, 2010

Kenneth E. May, General Manager
Canyon Fuel Company, LLC
597 South SR24
Salina, Utah 84654

Subject: West Coal Lease Modifications Significant Revision, Canyon Fuel Company, LLC,
SUFCO Mine, C/041/0002, Task #3609

Dear Mr. May:

The Division has reviewed your Significant Revision application to include the West Lease Modifications to three existing leases as part of the SUFCO mine Mining and Reclamation Plan (MRP).

The Division has determined that there are some deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met, and an approval can be granted. Those deficiencies are listed as an attachment to this letter. Furthermore, a letter issued by the Division went out to multiple agencies on October 4, 2010 notifying the agencies of this Significant Revision amendment and soliciting comments by November 30, 2010. The Division did not receive any agency comments as a result of that letter.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of Canyon Fuel Company's response to that particular deficiency. Please provide a response by January 6, 2011.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/AAA/sqs
Attachment
cc: Price Field Office
O:\041002.SUF\WG3609\WG3609DEFICIENCIES.DOC



Deficiency List
Task No. 3609
West Lease Modification Significant Revision

The members of the review team include the following individuals:

April Abate (AA)
Ingrid Campbell (IC)
James Owen (JO)

[R645-301-724-200 and R645-301-731]: Lizonbee Springs (sample ID #s: GW-8 and GW-9) are active springs located along the east side of the Acord Lakes fault-graben valley (T 21 S R 4 E, Section 34). The Permittee is not proposing to incorporate monitoring these springs into the water monitoring program. However, these springs are located in within the westernmost boundary of the CHIA (see Plate 4 of the Quitchupah and Muddy Creek CHIA, 2010). Some baseline water quality data for the springs were available but mainly reflective of conditions from the 1970s and 1980s. Furthermore, seasonal variability of flow does not reflect current conditions in GW-8 and was not demonstrated in GW-9. For these reason, it would be prudent to incorporate these springs into the water monitoring plan to ensure that there is no water loss to the overall hydrologic balance within the CHIA.

The Permittee must demonstrate seasonal variation and flow rates for Lizonbee springs by providing additional data to ensure that material damage to the hydrologic balance outside the permit area is prevented. Please provide an amended water monitoring plan to include Lizonbee Springs.
(AA)

[R645-301-323,-301-411,-301-521,-301-622, -301-722, -301-731]:
Plate 5-6v17 depicts an arbitrary ¼ mile blue line that is labeled as the “adjacent area”. Since adjacent areas encompass hydrologic basins that mining operations can potentially impact, an “adjacent area” boundary cannot be drawn on a map in this manner. Please remove the boundary or rename it depending on what resource (hydrology, biology) it is meant to represent. (AA)

Please update Plate 7-2Av5 to include water rights information concerning Lizonbee Springs. Appendix 7-1 should also be amended to include the water right information for Lizonbee Springs. (AA)

Plate 7-3v16 should be updated to include the two Lizonbee Springs sample locations GW-8 and GW-9. (AA)

R645-301-521: The permit area must include all disturbed area. Please update Plate 5-6, Land Ownership, Lease and Permit Area Map to include the Spring Collection Field,

Pump House and Leach Field located in Convulsion Canyon. Also, update the text in Chapter 1 to include the correct permit area acreage.

The adjacent area is not considered to have a defined boundary. The area is different depending on the resource (hydrology, biology etc). Please either rename the current adjacent area line or move it to contain at least a 0.5 mile buffer around all surface disturbances. (IC)

(JO) – No deficiencies